

HALL COUNTY BOARD OF SUPERVISORS MEETING JUNE 14, 2005

The Hall County Board of Supervisors met June 14, 2005, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Chairman Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA ITEMS – Eriksen made a motion and Humiston seconded to approve the following by consent agenda:

1. Accept and place on file the minutes from the May 31st meeting
2. 7 Approve sending a letter of support for the parents television council campaign
3. 8 Set the public hearing for June 28th at 10:30 to discuss and approve new Hall County Building Codes
4. 15 Approve the final plat for GJG Subdivision
5. 15 Approve Resolution #05-00224 approving the final plat of GJG Subdivision
6. 15 Approve the final plat for Hanousek Subdivision
7. 15 Approve Resolution #05-0025 approve the final plat of Hanousek Subdivision
8. 23 Accept and place on file the office report for the Register of Deeds
9. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
10. 25 Accept and place on file communications as received

Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT REGISTER OF DEEDS MAY 2005

DOCUMENTARY STAMP FEES	\$ 8,807.64
RECORDING FEES	20,859.00
PHOTO FEES	422.40

COUNTY ATTORNEY – DISCUSS OPTIONS REGARDING CONTRACTING FOR INDIGENT DEFENSE – Deputy County Attorney Michelle Oldham distributed a written memo regarding indigent defense. In a county with a population of over 100,000 there must be a public defenders office but if the county is smaller than that they do not. She provided information regarding an attorney general's opinion on the public defenders. The public defender is an elected for a four year term by the voters and a resolution establishing the salary is approved. If the office would be eliminated during a term they could claim property rights to the salary. There is also a union contract for this department. She also provided a list of felony filings and jury trials from various counties.

Arnold questioned if there is a way to determine the number of felony cases that were handled by private attorneys

Eriksen questioned the information regarding the attorney general's opinion, he questioned if some legislation could be introduced to change this in the next session.

Arnold stated that personalities are not a reason to make changes but the office was created because of economics and now it needs to be considered again because of economics. He questioned the incentive to run the office efficiently; there is certainly always a heavy case load in the office but in the private sector attorneys would have the incentive to do so. Indigent defense is a right of the people but a huge cost to Hall County.

Jeffries expressed concern that the chance the legislature would not act on this would be remote. The fee per hour is set by the judges and the rate is low. Ms. Oldham stated that there is no lack of interest if the board would consider contracting with a private firm. Jeffries suggested that this be referred to the public defender committee for information.

Hartman stated that when this office was established it was a close vote to approve it.

Arnold made a motion and Jeffries seconded to have the public defender committee investigate the economics and quality of representation of the public defenders office and return the information to the board in 45 days with an update. Arnold stressed that this is a matter of economics. Hartman stated that if the committee does this work the board needs to support this. Rye stated it is important to study the economics of this issue.

The vote on the motion was taken. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Ms. Oldham provided information to the board members regarding a court order that was issued regarding the discovery of evidence. This order allows information to be turned over to the public defender but not to anyone else. This applies to this case only and the County Attorney would have to apply for this in each case, so it will be on a case by case basis and their office will continue to do this.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation.

Don Stoltenberg, 3871 North Engleman Road, Grand Island stated that he would like to address the jail bond issue. He stated that in the court news of the ten issues in the

paper all of the individuals were from the City of Grand Island and only one was from Hall County. He asked why the rural people have to build a jail for Grand Island and why couldn't the city use the sales tax dollars to build a jail.

Arnold replied that the charges are by state statute and the City of Grand Island does not have city codes that are to be enforced. If there were city codes the city would have to help with the court costs but all of the sentencing is done under Nebraska State Statute and not city codes.

Mr. Stoltenberg also questioned why the proposed events center is going to be paid for by lodging tax dollars and stated that they should use sales tax for this. He stated that the city sales tax is taxation without representation. They can spend these dollars anyway they want.

Lancaster thanked Mr. Stoltenberg for his remarks. She called for public participation and no one else responded.

6 AWARD BIDS FOR INMATE HEALTH CARE SERVICES AND INMATE PHONE SERVICES – The correction steering committee met and reviewed the bids. Jeffries stated that the committee recommended awarding the bid for the health care services to Dr. Jennifer Kingsley who was the low bidder. There was an error on the totals and she was the low bid.

Arnold made a motion and Jeffries seconded to award the bid for the health care services for the jail to Dr. Jennifer Kingsley. Hartman questioned if the committee had checked with the health department to see if they could provide the services and Jeffries responded they would not have a physician available and they are not interested. They do provide some educational services for the department. The vote was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Two bids were received on the inmate phone services, Evercom/Securus and Synergy and the committee recommended that the contract be awarded to Evercom/Securus. The commission percentages were close but there was a difference on the gross totals. Evercom serves the most jails in the country. Arnold made a motion and Eriksen seconded to award the phone services to Evercom/Securus. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried. Jeffries stated that Evercom will monitor all calls and they can also record all calls.

4 DISCUSSION AND ACTION ON HEALTH INSURANCE PLAN – Lee Johnson with Mid America Benefits stated that he had reviewed this with the board a few weeks ago and reported that he put the renewal out to bid to self funding carriers and fully insured carriers. The specific insurance covers over the \$60,000.00 cap per employee and the ag premium covers how much comes out of the claim account under \$60,000.00. The administration fees increased by 50 cents per employee and this will help to cover the cost of the computers and software. They are upgrading their computer system and employees will soon be able to check on their explanation of benefits on the internet.

The single premium for this fiscal year is \$405.74 and family coverage is \$979.19 which reflects a 17.5% increase. The potential cost may be more but he tried to keep the increase as low as possible by using a \$75,000.00 reserve that they had on hand. If the

county experiences a normal year it should be fine. There is a laser on one person so there may be a potential risk to the county of \$90,000.00 instead of the \$60,000.00

Lancaster expressed concern on using the reserves and this may have to try to set more aside for reserves. Mr. Johnson stated that the county has had good experience the past 5 years and hopefully that will be the trend this year.

Arnold stated that sometimes we loose sight of the benefit that the health insurance is to the employees We may not see a large increase in wages but the health insurance this year equals about \$5.80 an hour. The employees need to know what the health insurance and retirement benefits are. Eriksen stated that he would support looking into the providing the health insurance and retirement benefits on the employees pay checks.

Hartman made a motion and Jeffries seconded to approve the health insurance premiums in the amount of \$404.31 for single coverage and \$979.19 for family coverage. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Mr. Johnson stated that he would also like to have the county consider is the zero tier on the prescription coverage. If it is possible to use an over the counter medication and the doctor provides a prescription for it, it would be at no cost to the employee. This will be reviewed again.

11 DISCUSS AND TAKE ACTION ON SETTING DATE FOR THE PRESENTATION OF NEW JAIL PROPOSAL – Lancaster stated that the county will receive the new proposal for the jail and a date needs to be set for the presentation. It was suggested to do this on July 12. This will be a joint meeting with the City. Jeffries made a motion and Eriksen seconded to set the date for the new jail proposal for July 12th. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11b SET DATE FOR SPECIAL JAIL BOND ELECTION – To go forward with the bond issue a date needs to be set for the election. Jeffries made a motion and Eriksen seconded to set the special bond issue election for the jail for the month of November. This date is set by state statute. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 DISCUSS AND APPROVE RESOLUTIONS PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE HALL COUNTY ELECTION COMMISSIONER BUDGET FOR FISCAL YEAR 2004 2005 – The additional dollars are needed for the special election supplies. Jeffries made a motion and Rye seconded to approve Resolution #05-0022 A RESOLUTION PROVIDING FOR ADDITONAL APPROPRIATIONS FOR THE HALL COUNTY ELECTION COMMISSIONER BUDGET FOR FISCAL YEAR 2004-2005. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

17. DISCUSS AND APPROVE RESOLUTION PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE HALL COUNTY JUSTICE SYSTEM BUDGET FOR FISCAL YEAR 2004-2005 – It is necessary to transfer and additional \$27,000.00 for this budget, the Molina trial was a large expense for the county on this budget. Jeffries made a motion and Arnold seconded to approve RESOLUTION #05-0023 A RESOLUTION PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE HALL COUNTY JUSTICE SYSTEM BUDGET FOR FISCAL YEAR 2004-2005. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

13 DISCUSSION AND ACTION REGARDING BOARD OF EQUALIZATION – Because of the potential number of protests that may be filed this year, the board requested to talk to Mr. Mark Standard regarding the protest process and the informal hearings. Lancaster stated that by using the informal hearing and the referees it insures that the public has another set of eyes to look at the valuations. The referees are independent from the assessor's office and the board wants to be sure that most of the issues can be handled by the referees.

Mr. Standard stated that they try to accommodate the public when they are doing the hearings and they always offer to do an inspection. They will also make sure that they document information from the informal hearings.

Discussion was held on providing education for the public on the protest process. Information is provided by the assessor's office when the notices are sent out. Lancaster suggested using some of the dollars left in the reappraisal fund for this purpose.

2b EXECUTIVE SESSION KMART BANKRUPTCY - Jeffries made a motion and Eriksen seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11:05 executive session

11:10 Jeffries made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

HEALTH INSURANCE – With the increase in the health insurance premiums and the increased percentage that the employees have to pay the audit committee discussed how this should be handled. The July premium is paid in June and there isn't enough time to inform the employees of the changes so it was suggested to keep the June deductions the same and make the increases effective July 1st.

Jeffries made a motion and Rye seconded to keep the June health insurance premium the same and to process the co pay increase and the premium increase effective with the first pay period in July. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10 DISCUSS AND APPROVE WIRELESS AGREEMENT FOR PUBLIC SAFETY ACCESS POINT LOCATIONS – Arnold made a motion and Humiston seconded to table this until the next meeting. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

18. COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND REGULAR CLAIMS AND ACTION ON CLAIM AUDIT – The board reviewed the claims. Arnold made a motion and Eriksen seconded to approve the bi weekly pay claims and regular claims and authorize the chair to sign. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and none voted no, with Jeffries absent for the vote. Motion carried.

20. DISCUSS ROBERT RULES OF ORDER – Arnold stated that he requested that this be on the agenda and expressed concern that if some one abstains from a vote that it is

the same as a no vote. There have been some problems with the tally board and noted that according to the rules that once a vote is announced it takes the consent of the body to change the vote. Lancaster also questioned if it takes a motion to table an item. There are several issues that need to be addressed.

BOARD MEMBER'S REPORTS – Hartman - no report

Humiston – He had a computer meeting.

Eriksen – He attended the Central District Health board meeting and they reviewed the budget and they have scheduled a joint meeting with all four entities for July 14th. The request will remain the same. The board voted to accept the Child Care Solutions Program of the health department programs and take it over.

Rye – He attended the Midland Area Agency on Aging meeting.

Jeffries – He attended a building and grounds/ park committee meeting and discussed the problem with the sewer system at the park. To make the repairs on the wiring for the grinders it will only cost \$300.00 if the county does the trenching. They hope to collect this cost from the general contractor

Arnold – all reported on

Lancaster - she stated that the efficiency committee met and also stated that the interviews for the emergency management position were held today. She also received information from Dick Bauer and he reported that the numbers of meals provided for Grand Island are 54,000 a year. She also reported that the prescription drug cards for Hall County arrived, so they will be available.

Meeting adjourned at 11:30 a.m. The next meeting will be June 28, 2005 at 9:00 a.m.

Marla J. Conley Hall County Clerk